

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v.-

MOSHE BENENFELD,

Defendant.

**AFFIRMATION IN SUPPORT  
OF APPLICATION FOR  
ORDER OF CONTINUANCE  
18 Mag. 4090**

State of New York )  
County of New York : ss.:  
Southern District of New York )

Dina McLeod, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Preet Bharara, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which an indictment or information would otherwise have to be filed, pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated May 14, 2018, and was arrested on May 16, 2018. On date of his arrest, the defendant was presented before U.S. Magistrate Judge Barbara C. Moses, and released on bail.

3. Under the Speedy Trial Act, the Government has until June 15, 2018, within which to file an indictment or information.

4. Ephraim Savitt, Esq., counsel for the defendant, and I have had discussions regarding possible dispositions of this case. The negotiations have not been completed and we

plan to continue our discussions, but do not anticipate a resolution before the deadline under the Speedy Trial Act expires on June 15, 2018.

5. Therefore, the Government is requesting a 30-day continuance until July 16, 2018, to continue the foregoing discussions and reach a disposition of this matter. Defense counsel has specifically consented to this request.

6. For the reasons stated above, the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York  
June 14, 2018

A handwritten signature in dark ink, appearing to read "Dina McLeod", is written over a horizontal line.

Dina McLeod  
Assistant United States Attorney  
(212) 637-1040